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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CARL ANTHONY VALLIER, JR.,
Petitioner,
vs.
RALPH DIAZ (Warden),
Respondent.

Case No. CV 12-9405-JGB (RNB)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS
OF UNITED STATES
MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file herein, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report and Recommendation to which objections have been made. The Court accepts the findings and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that (1) petitioner's stay-and-abeyance request is denied; and (2) Judgment be entered summarily dismissing this action without prejudice for failure to exhaust state remedies pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.

DATED: December 2, 2013



JESUS G. BERNAL
UNITED STATES DISTRICT JUDGE